EXHIBIT A

SUPPLEMENTAL DECLARATION OF CHENGOS LIM

I, Chengos Lim, declare and certify as follows:

1.   I am the Content Safety Lead at Dropbox, Inc. ("Dropbox"). My responsibilities include evaluating whether certain content violates Dropbox's Acceptable Use Policy and managing the team that reviews and reports child sexual abuse content. I am familiar with Dropbox's services, with Dropbox's procedures for reviewing and removing child sexual abuse content, and with Dropbox's procedures for providing CyberTipline reports to the National Center for Missing and Exploited Children ("NCMEC"). I am over the age of eighteen and competent to make this declaration. I make each of the following statements based on my personal knowledge and I could, if necessary, testify to the truth of each of them.

Availability of "Public" Files

2.   As stated in paragraph 2 of my prior Declaration, Dropbox users who upload files to their accounts can choose to keep files private or to share files with the public.

3.   To share a file with the public, a user creates a Uniform Resource Locator (URL) for the file called a "shared link." True and accurate copies of Dropbox Help Center pages describing the shared link functionality are attached to this Declaration as Exhibit A.

4.   A Dropbox user who creates a shared link for a file can then share that file by distributing the URL for the shared link. Any member of the public who clicks that link or who otherwise accesses the shared link's URL can access, view, and/or download a copy of the associated file without logging into a Dropbox account. Additionally, any member of the public who clicks that link or otherwise accesses the shared link's URL will see the name of the file displayed in the left-hand corner of the screen. For certain account types, the name of the account to which the file was uploaded and from which the file was shared is also displayed. However, I have reviewed Dropbox's records and confirmed that for the account at issue in CyberTip No. 11789977, the name of the account would not have been displayed to a member of the public who accessed a shared link created from that account.

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5.   Shared links for files uploaded to Dropbox are not accessible through search engines unless the user posts the link on a page that is otherwise accessible through search engines. Dropbox uses a technical measure called the "<META> tag" to ensure that search engines do not crawl or index shared links. More information about these measures is available at *About the Robots <META> Tag*, http://www.robotstxt.org/meta.html.

6.   I have reviewed Dropbox's records and confirmed that a shared link was created for each file reported as apparent child pornography in CyberTip No. 11789977. Dropbox has also confirmed that seven (7) of the seventeen (17) files uploaded to NCMEC (the files with names beginning "uploadlog") were not files in the user's Dropbox account; rather, these files were automatically generated logs containing information about the ten (10) files being reported as apparent child pornography. Therefore, to clarify Paragraphs 10 and 11 of my prior Declaration, all ten (10) files reported as apparent child pornography in CyberTipline Report 1178997 were publicly shared and received manual human review.

7.   When this Declaration and my prior Declaration refer to "public files," they are referring to files for which shared links were created as described above and in Exhibit A.

Identifying and Reporting Child Sexual Abuse Content

8.   As stated in my prior Declaration, Dropbox has a strong business interest in enforcing its Acceptable Use Policy, which prohibits its services from being used to "publish or share materials that are unlawfully pornographic or indecent" or that "violate the law in any way," and in ensuring that Dropbox services are free of illegal content, particularly child sexual abuse content. For these reasons, Dropbox independently and voluntarily takes steps to identify and remove child sexual abuse content on our services.

9.   When Dropbox identifies or becomes aware of child sexual abuse content on its services, it is required by law to send a report to NCMEC if that content qualifies as apparent child pornography. *See* 18 U.S.C. § 2258A(a)(1)(B), (a)(2). In the absence of this reporting obligation, the Stored Communications Act would prohibit Dropbox from disclosing user content to NCMEC. *See* 18 U.S.C. § 2702(a), (b)(6). Dropbox accordingly does not have discretion to

decide whether or not content should be reported to NCMEC; both its obligation to report apparent child pornography and its obligation not to disclose non-reportable content are imposed by federal law.

10.   To fulfill these obligations, after Dropbox becomes aware of or identifies child sexual abuse content pursuant to its independent interest in removing that content from Dropbox services, Dropbox determines whether that content qualifies as apparent child pornography and, if so, reports the content to NCMEC to comply with its statutory reporting obligation. This means that the number of reports that Dropbox makes to NCMEC does not reflect any discretionary decision by Dropbox to provide "tips" to the government. Instead, the volume of CyberTipline reports made by Dropbox is determined solely by the volume of apparent child pornography that Dropbox becomes aware of or identifies in furtherance of its private business interest in finding and removing child sexual abuse content from its services.

11.   In sum, Dropbox does have a pattern of reporting apparent child pornography to NCMEC after it identifies and removes such content from its services. Indeed, providers of online services cannot avoid developing such a pattern if they wish to either keep child sexual abuse content off their services or comply with federal reporting obligations. By way of example, I understand that NCMEC received 3 million CyberTipline reports in the first three months of 2017 alone; this equates to over 30,000 reports per day. *See* "Child Sexual Abuse and Exploitation Online and Offline: Time to Act," Testimony of John F. Clark, NCMEC, for the European Parliament Committee on Civil Liberties, Justice and Home Affairs at 3 (Apr. 25, 2017), *available at* http://www.europarl.europa.eu/cmsdata/117902/john-clark.pdf.

12.   However, Dropbox does not send any reports of apparent child pornography directly to law enforcement, and federal law would prohibit Dropbox from doing so. Dropbox does not and has never received any hashes from law enforcement. Neither I nor any member of Dropbox's content safety team has received training from law enforcement or NCMEC on how to identify apparent child pornography; rather, Dropbox trains its content safety team on the

statutory criteria for identifying apparent child pornography through internal quality reviews and by maintaining an escalation queue to the team manager for particularly difficult decisions.

Purpose of Quality Review

13.   As stated in paragraph 8 of my prior Declaration, a member of Dropbox's content safety team manually reviews each apparent child pornography image before it is reported to NCMEC for quality control purposes and to confirm that the content to be reported qualifies as apparent child pornography.

14.   Dropbox is committed to protecting the privacy of its users and takes seriously the implications for user privacy that arise in disclosing user content through CyberTipline reports to NCMEC. It is therefore of vital importance to Dropbox that only apparent child pornography or other reportable content is actually disclosed to NCMEC. This is the primary reason that Dropbox personnel manually review every file that is reported to NCMEC.

15.   Additionally, it improves operational efficiency to use the same process for reviewing all potential child sexual abuse content. Because manual review is required for potential violations reported by individuals, the most consistent and efficient process is to conduct manual review for all potential child sexual abuse content, regardless of how that content is detected.

16.   Manual review is also necessary for quality control purposes.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on August 23, 2017.

Cheng-Sim Lim

Cheng-Sim Lim (Aug 23, 2017)

Chengos Lim

EXHIBIT A

https://www.dropbox.com/help/files-folders/share-outside-dropbox

❖ Dropbox   ☰

Search for answers

Help center   ›   Sharing files and folders   ›   Sharing files with non-Dropbox users

Sharing files with non-Dropbox users

You can share files with anyone, even non-Dropbox users, by getting a link to any file or folder. Once you get the link, you can send it by email, Facebook, Twitter, instant message, social networks, wherever you want. You can share these links with anyone, even if they don't have a Dropbox account.

Dropbox Plus and Dropbox Business users: You can control who accesses your shared links and for how long by setting passwords and expirations for them.

Important note on copyrighted material

You should only use shared folders, public links, and photo galleries for files that you have the legal right to share with others (for example, documents, photos, software, music, and videos that you personally created). You do not have the right to share files unless you own the copyright in them or have been given permission by the copyright owner to share them. Purchasing or legally acquiring video, music, ebooks, or software does not give you the right to share that material with third parties over the Internet.

If you have any doubts about whether you have the legal right to share certain files, you should not share them. By using the shared folder, public folder, or photo galleries features you represent that files placed in those folders do not violate Dropbox's Terms of Service and that you own all copyrights to them or have been given permission by the copyright owner to share them. Dropbox has adopted a policy of terminating the accounts of users who repeatedly infringe copyright or whose accounts are subject to multiple infringement allegations. If

Dropbox

For more information on Dropbox's copyright policy, please visit Dropbox's DMCA page.

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Search for answers

Help center   Sharing files and foldersShared links: Give people view-only access to your files

Shared links: Give people view-only access to your files

View-only access lets people view, comment, and download a file. People with view-only access can't edit the file itself. View-only access is best for when you need to share a file with a large audience, or if you want to gather feedback on a file.

There are two ways to share a file with view-only access:

Share a file directly in Dropbox if you only want certain people to have access to your file

> **Note:** People you share a file with must have a Dropbox account. If you share a file to an email address not associated with a Dropbox account, then the person can create an account or use an existing account that's under a different email.

Create a shared link if you want anyone to be able to click a link to access your file   people don't need a Dropbox account to view your file

Whether you share a link or a file, the people you share with will be able to:

View files

Comment on files

Download copies of files

However, people who receive a shared link or shared file won't be able to edit the original file in any way.

Learn how to disable commenting on a file.

Select the way you're accessing Dropbox for instructions:

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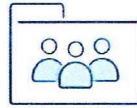No

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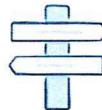
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